

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA <i>ex rel.</i>	:
JOHN A. WOOD, and on behalf of the	:
STATES of CALIFORNIA, COLORADO,	: <u>ECF CASE</u>
CONNECTICUT, DELAWARE,	:
FLORIDA, GEORGIA, HAWAII,	: Case No. 19 Civ. 4029 (JMF)
ILLINOIS, INDIANA, LOUISIANA,	:
MASSACHUSETTS, MICHIGAN,	: <b>FILED UNDER SEAL</b>
MINNESOTA, MONTANA, NEVADA,	:
NEW HAMPSHIRE, NEW JERSEY,	: <b><del>PROPOSED</del> ORDER</b>
NEW MEXICO, NEW YORK, NORTH	:
CAROLINA, OKLAHOMA, RHODE ISLAND,	:
TENNESSEE, TEXAS,	:
VIRGINIA, WISCONSIN and the	:
DISTRICT OF COLUMBIA,	:
	:
Plaintiffs,	:
	:
v.	:
	:
ALLERGAN, INC.,	:
	:
Defendant.	:
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The United States (the “Government”) having now declined to intervene pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B) with respect to the claims raised in the complaint filed by the relator in the above-captioned action; and

The States and the District of Columbia named as co-plaintiffs in the above-captioned action (the “Plaintiff States”) having similarly declined to intervene pursuant to their respective false claims acts with respect to the claims raised in the relator’s complaint;

IT IS ORDERED THAT:

1. As of the date of this Order, the complaint shall be unsealed; and, in the

event that relator has not moved to dismiss this action, service upon defendant by the relator is authorized as of that date.

2. The Government's Notice of Decision to Decline Intervention and the Plaintiff States' Notice of Decision to Decline Intervention shall be served by the relator upon defendant only after service of the complaint.

3. Except for this Order, the complaint, the Government's Notice of Decision to Decline Intervention, and the Plaintiff States' Notice of Decision to Decline Intervention, all other contents of the Court's file in this action shall remain under seal and not be made public or served upon the defendant.

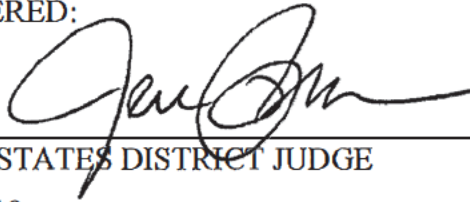
4. Upon the unsealing of the complaint, the seal shall be lifted as to all matters occurring in this action after the date of this Order.

5. The parties shall serve all pleadings and motions filed in this matter, including supporting memoranda, upon the Government, as provided for in 31 U.S.C. 3730(c)(3), and upon the Plaintiff States. The Government and the Plaintiff States may order any transcripts of depositions. Pursuant to 31 U.S.C. 3720(c)(3), the Government may seek to intervene with respect to the allegations in the relator's complaint, for good cause, at any time. The Plaintiff States, for good cause, also may at any time seek to intervene in this action.

6. All further orders of this Court in this matter shall be sent to the Government and Plaintiff States by relator.

7. Should the relator or the defendant propose that the complaint or any of its allegations be dismissed, settled, or otherwise discontinued, or that any defendant be dismissed from the case, the moving party (or parties) must solicit the written consent of the Government and each of the Plaintiff States before applying for Court approval and submit to the Court such written consent.

SO ORDERED:

A handwritten signature in black ink, appearing to read "J. M. Smith", is written over a horizontal line.

UNITED STATES DISTRICT JUDGE

July 1, 2019